

**RULES AND REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF  
CHEATHAM COUNTY LITTER CONTROL REGULATIONS**

Date: March 15, 2004

Effective this date, the following rules, regulations and procedures are adopted for the administration and enforcement of the County's Resolution number 22 dated 18 January 1999.

**Administrative Procedures:** The codes enforcer will attempt to follow the procedures below to the maximum extent possible for the administration of his position.

a. Notification:

1. The codes enforcer will make every attempt to contact the property owners in person or via telephone to discuss clean-up of properties in violation of County Regulations. In the case of rental property, contact may be made with the occupants unless resolution cannot be reached. In that case the codes enforcer will deal with the property owner.
2. In the event the property owner refuses to comply with codes enforcer attempts to discuss violations, the codes enforcer will follow written notification procedures established in the County Resolution.

b. Documentation: The codes enforcer will maintain a separate folder for each property in violation of the County resolution to record at a minimum the date the case was opened, the district that the property is located in, the location of the complaint, the nature of the complaint, the owners name address and phone number when possible and all case notes. The codes enforcer shall record the date and a brief summary of any conversation/note correspondence sent or received for any and all communications regarding the case. Folders will be maintained through resolution by remedying of violations by the owner/occupants, contractors or through resolution via the courts. Folders will then be closed recording the date of resolution and will be maintained for a minimum of five years.

**Definitions:** The definitions below are not meant to substitute for the definitions in the Tennessee Code Annotated or the County Resolution. They are listed to provide a more detailed explanation of those definitions.

Garbage: Means food waste, animal waste, dead or decomposing animal matter, and dead or decomposing vegetable matter, and any dead or decomposing matter whether or not it originally constituted human or animal food. Nothing in the definition of this definition shall be construed to prohibit a legitimate "compost heap" as commonly referred to, which is being used as a part of an on-going agricultural endeavor, such as a vegetable garden.

Litter: Means trash, rubbish, wastepaper, or garbage lying or scattered about.

Rubbish: Means useless, rejected, or abandoned waste, waste matter, trash and junk.

Junk: Means rubbish and wasted or discarded items and includes but is not limited to junk motor vehicles. The term shall not include items held for sale in a business establishment which holds a valid Tennessee business license. Notwithstanding the foregoing, a junk motor vehicle, as defined below, will not be considered as being for sale, unless said junk motor vehicle

is on the premises of an automobile graveyard within the meaning of Tennessee Code Annotated, section 54-20-201, et seq.

**Motor Vehicle:** is any vehicle which is self-propelled and designed to travel along the ground and shall include, but not be limited to automobiles, buses, motor-bikes, motorcycles, motor scooters, trucks, tractors, riding lawn mowers, go-carts, campers and trailers, farm tractor or other self-propelled farm implement.

**Junk Motor Vehicle:** is any motor vehicle as defined above which does not have lawfully affixed thereto an unexpired license plate and the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded, or the metal scraps and/or remains of the foregoing items, which are incapable of being operated, and which it would not be economically practical to make operative, and which are not fully stored or located within and fully surrounded by a substantial and durable building. The term shall not include items on the premises of establishments constituting automobile graveyards within the meaning of Tennessee Code Annotated, section 54-20-2-1, et seq., or establishments having facilities for processing scrap metal.

**Refuse:** means all items constituting garbage, litter and rubbish.

**Remedy:** The codes enforcer will attempt to remedy all violations within a reasonable amount of time utilizing the following methods of remedy in the order that they are listed below. A reasonable amount of time is generally 20 days as authorized in the County Resolution, but may vary depending on individual circumstances and continual satisfactory progress at the discretion of the codes enforcer.

a. **Personal agreement between owner and codes enforcer:** Every attempt should be made to remedy violations by the codes enforcer through discussion with and cooperation of the property owners. This is the primary means of remedy and is to be used to the maximum extent possible. Should this remedy fail, either by lack of cooperation by the property owner or by failure to make continual satisfactory progress in the judgment of the codes enforcer then the codes enforcer is to proceed with the other means of remedy described below;

b. **By contracting with a private third party for the clean-up of property to remedy the violations.** This method of resolution may only be perused after following written notifications procedures outlined in the County Resolution and completion of any hearing requested by the property owner as authorized.

c. **By referring the matter to the Courts for resolution.**

Both options (b) and (c) may be pursued simultaneously at the discretion of the codes enforcer.